

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE VIRTUAL HEARING MINUTES
TOWN COMMISSION MEETING ROOM (JARVIS HALL)
CONDUCTED USING COMMUNICATIONS MEDIA TECHNOLOGY via ZOOM PLATFORM
Thursday, February 25, 2021 at 5:00 PM

I. CALL TO ORDER, SPECIAL MAGISTRATE TOM ANSBRO

Special Magistrate Tom Ansbro called the hearing to order at approximately 5:02 PM on Thursday, February 25, 2021 with Senior Code Inspector Bethany Banyas, Building Official Eugene Adach, and Planning Technician/Special Magistrate Clerk Sydney Ramirez to record the minutes.

II. SWEARING OF WITNESSES

The Special Magistrate administered the oath to everyone who was going to testify (e.g., staff and respondents/participants).

III. OPENING STATEMENT

The Special Magistrate explained how the hearing would be conducted and Ms. Ramirez would call the cases first for people who were present online.

IV. PUBLIC COMMENTS

No one from the public requested to speak.

Cases were typed in the order they were called.

V. CODE CASES
OLD BUSINESS

ITEM #V.2

***TAKEN OUT OF SEQUENCE**

Case #: 20100006 – Building Code Violations

Property Owner: Hotz, Rosemary Hotz Rev Liv Tr

Address/Folio: 5555 N Ocean Blvd, 71

Code Section(s): Florida Building Code Section 105.1. Required

Senior Code Inspector Banyas testified that this was a case for work without permits. Originally the stop work order was posted by the Building Official on October 14, 2020 for interior remodeling without permit. There was a signed green card in the file. At the last two Code Hearings, November 2020 and January 2021, the case was continued based upon conversations with the owner. Inspector Banyas spoke with the owner today and consulted with the Building Official and the recommendation from the Town at this time was to have an order for compliance within 90 days or a fine of \$200/day. Compliance was to be met by obtaining a permit, completing the work, passing all inspections and closing out the permit. There was a Town request for \$50 Hearing Fee payable immediately but due by the end of ninety days (by May 26, 2021). The owner, Ms. Hotz, stated she was sworn in. She further answered the Special Magistrate that she heard Inspector Banyas' testimony and had no concerns regarding it. The Special Magistrate ordered

ninety days (by May 26, 2021) to get the permit and all the work done and passing all the inspections and closing out the permit or a fine of \$200/day until compliant and \$50 Hearing Fee was assessed for today's hearing payable immediately but due by the end of ninety days.

ITEM #V.1

Case #: 20100005 – Building Code Violations
Property Owner: Patricia F. Frazioso Tr
Address/Folio: 1470 S Ocean Blvd, 201
Code Section(s): Florida Building Code Section 105.1. Required

Ms. Ramirez stated that both Mark Park and Patty Frazioso were here today. They answered the Special Magistrate that they were both sworn. Senior Code Inspector Banyas testified that the violation was for work without permit for interior remodeling. The Building Official posted a stop work order on October 14, 2020. At the last two Code Hearings, November 2020 and January 2021, the case was continued by request of the Town. The Town was recommending a final order requiring 90-days for compliance by obtaining a permit, doing the work, passing all inspections and closing out the permit or a fine of \$200/day if compliance was not met by May 26, 2021. There was also a \$50 Hearing Fee requested for today's hearing due immediately but payable by May 26, 2021. Patricia Frazioso testified that she spoke with Inspector Banyas this afternoon and was fully aware of the decision moving forward. Mr. Park said that he represented the condo and wanted to ensure that all the work was permitted and done correctly. The only things right now on the record were the windows and door replacement. There was nothing on record for the interior remodeling. Building Official Eugene Adach answered the Special Magistrate that he was not inside the unit and could not answer what still needed to be done but explained to Ms. Frazioso what documentation needed to be submitted to the Building Department. Ms. Frazioso answered the Special Magistrate that she would give access to her unit to the Building Official so he could do his job. Mr. Park stated for the record that this was a full remodel and that everything was stripped and all the work was completed at this time. The Special Magistrate ordered ninety days (by May 26, 2021) to obtain the permit, do all the work, pass all the inspections, and close out the permit or a fine of \$200/day until compliant and \$50 Hearing Fee was assessed for today's hearing payable immediately but due by the end of ninety days.

Ms. Ramirez said that there were no other people logged in, so she would call the agenda items left in the order they appear on the agenda.

ITEM #V.3

Case #: 20100007 – Building Code Violations
Property Owner: Nesch, Dorothea Grossman, David
Address/Folio: 1480 S Ocean Blvd, 209
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.4

Case #: 20100008 – Building Code Violations
Property Owner: Campbell, Patricia R Samples, Tracy

Address/Folio: 4013 N Ocean Blvd, 209
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the March 25, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the March 25, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.5

Case #: 20100012 – Building Code Violations
Property Owner: Cantazaro, Jovanni
Address/Folio: 1988 W Terra Mar Drive
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was recommending a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs. The Special Magistrate ordered a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.6

Case #: 20100010 – Building Code Violations
Property Owner: Sauvageau, Danielle
Address/Folio: 4518 Seagrape Drive
Code Section(s): Florida Building Code Section 105.1. Required

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that on October 1, 2020 the Building Official posted a stop work order for a driveway demolition done without permit. The driveway was completely demolished but no additional work was done. They applied for a permit and a double permit fee was in effect. They were in the process of providing additional information in order to obtain the permit. The contractor advised that it should be in the Town's hands next week. She discussed this with the Building Official whose recommendation was to request a final order giving ninety days (May 26, 2021) to obtain the permit, complete the work, pass all inspections, and close out the permit or a fine of \$200/day would accrue plus \$50 Hearing Fee for today's hearing due immediately but payable within 90 days (May 26, 2021). The Special Magistrate ordered ninety days (by May 26, 2021) to obtain the permit, do all the work, pass all the inspections, and close out the permit or a fine of \$200/day until compliant and \$50 Hearing Fee was assessed for today's hearing payable immediately but due by the end of ninety days.

Item 7 was called but then Item 8 was heard before Item 7.

ITEM #V.8

Case #: 20110001 – Building Code Violations
Property Owner: Gatzonis, Aurora & John
Address/Folio: 4332 N Ocean Dr
Code Section(s): Florida Building Code Section 105.1. Required

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this property was posted with a stop work order back in November 2020. There was a driveway installed without a permit. They applied for a permit in early 2020 but it was denied. Then they did permitted renovations to the entire property and installed the driveway without

permit. This property is on A1A and there was a Town traffic street sign right in the middle of their driveway where it met the sidewalk. The driveway was not accessible or functional. They contacted the Town to remove the sign but were informed they had a work without permit violation. Ms. Banyas spoke with both owners today. The contractor was not returning their calls. The Town was recommending compliance by April 21, 2021 and they thought that was reasonable to complete the permit process, make any necessary changes, and close that permit out or a fine of \$200/day to accrue thereafter and to come back to the April 22, 2021 hearing plus \$50 Hearing Fee due immediately but payable by April 21, 2021.

ITEM #V.7

Case #: 20120002 – Overflowing Dumpster
Property Owner: Anglin Fam Tr (Land) ETAL Ocean Equities Ltd (Bldg) %PF FIN
Address/Folio: 4653 N Ocean Drive
Code Section(s): Chapter 10 – Garbage and Refuse Section 10-28(b) Maintenance
Chapter 10 – Garbage and Refuse Section 10-31(4) Dumpster
Type Container
Chapter 6 – Building and Building Regulations Section 6-40(a)
Garbage, rubbish and/or weeds

For the record, no one was here to represent this property. Senior Code Inspector Banyas testified that this property was in compliance.

ITEM #V.9

Case #: 20020006 – BTR Inspection/Commercial
Property Owner: 4051 N Ocean LLC
Address/Folio: 4051 N Ocean Dr
Code Section(s): Chapter 6 – Building and Building Regulations Section 6-36(c)
Chapter 6 – Building and Building Regulations Section 6-36(d)
Chapter 6 – Building and Building Regulations Section 6-37(a)(1)
Chapter 6 – Building and Building Regulations Section 6-36(1)(a)
Chapter 6 – Building and Building Regulations Section 6-36(5)

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified that the Town was requesting a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs for today's hearing. The Special Magistrate ordered a continuance to the April 22, 2021 Special Magistrate Hearing with no Hearing Costs assessed for today's hearing.

ITEM #V.10

Case #: 18030025 – Property Maintenance
Property Owner: Wens Holding LLC
Address/Folio: 4329 El Mar Drive
Code Section(s): Chapter 30 – Unified Land Development Regulations Section 30-477(a)
Chapter 6 – Building Regulations Section 6-36(f)
Chapter 6 – Building Regulations Section 6-41(b)

For the record, there was no one in attendance to represent this property. Senior Code Inspector Banyas testified this case was being withdrawn as they successfully completed everything in order to obtain their project permit for renovation issues.

VI. ADJOURNMENT

Not having any additional business to be heard, Special Magistrate Tom Ansbro adjourned the hearing on February 25, 2021 at approximately 6:20 PM.

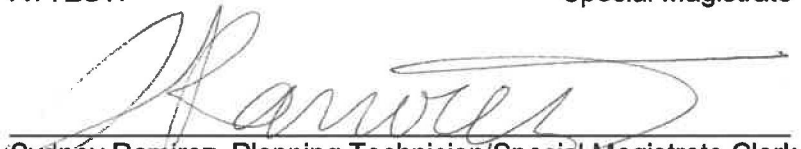
APPROVED BY:

Thomas J.
Ansbro

Digitally signed by Thomas J. Ansbro
DN: cn=Thomas J. Ansbro, o=ou,
email=tansbro@lauridabeachfl.gov, c=US
Date: 2021.03.11 07:42:14 -05'00'

ATTEST:

Special Magistrate Tom Ansbro



Sydney Ramirez, Planning Technician/Special Magistrate Clerk
Town of Lauderdale-By-The-Sea, Florida